

Exhibit 1. Pointe Perry/Trade Property/Reese Mitigation Area Locations

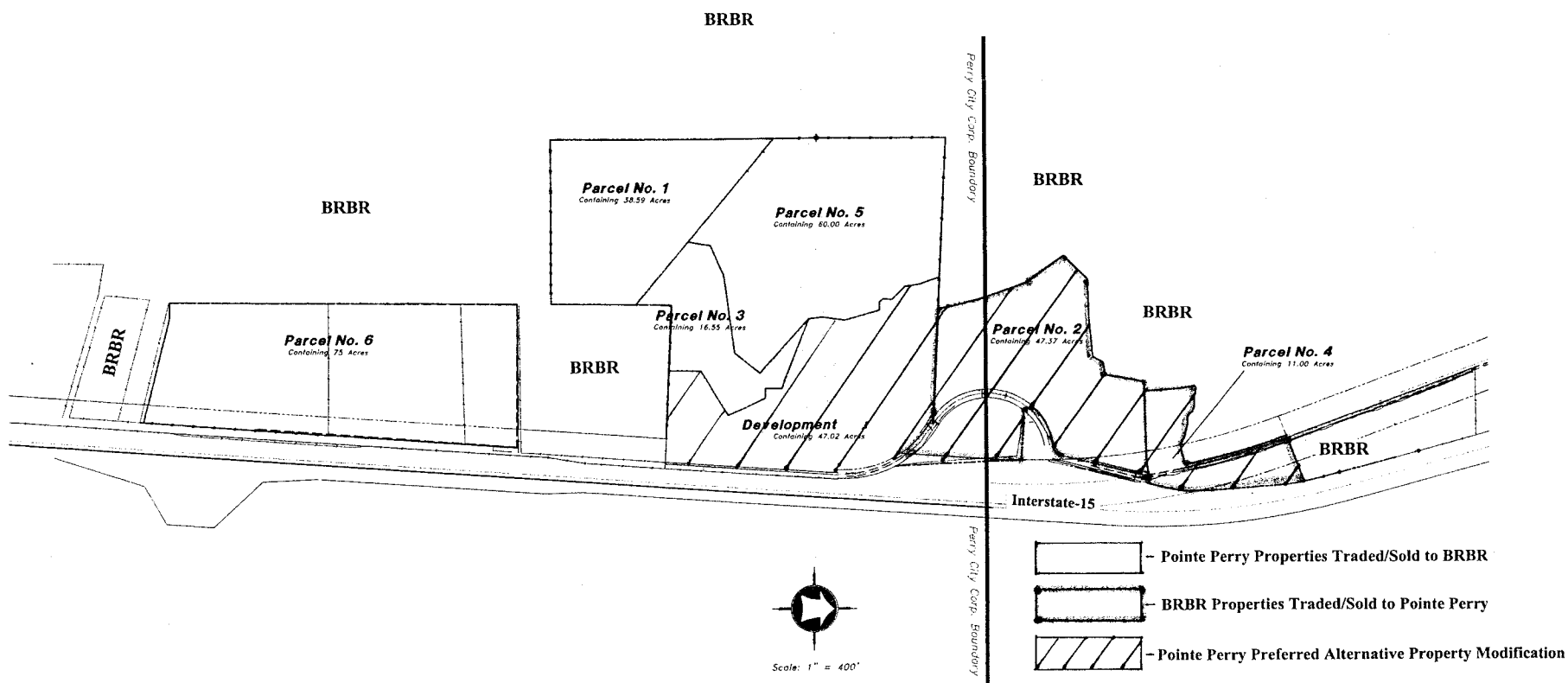
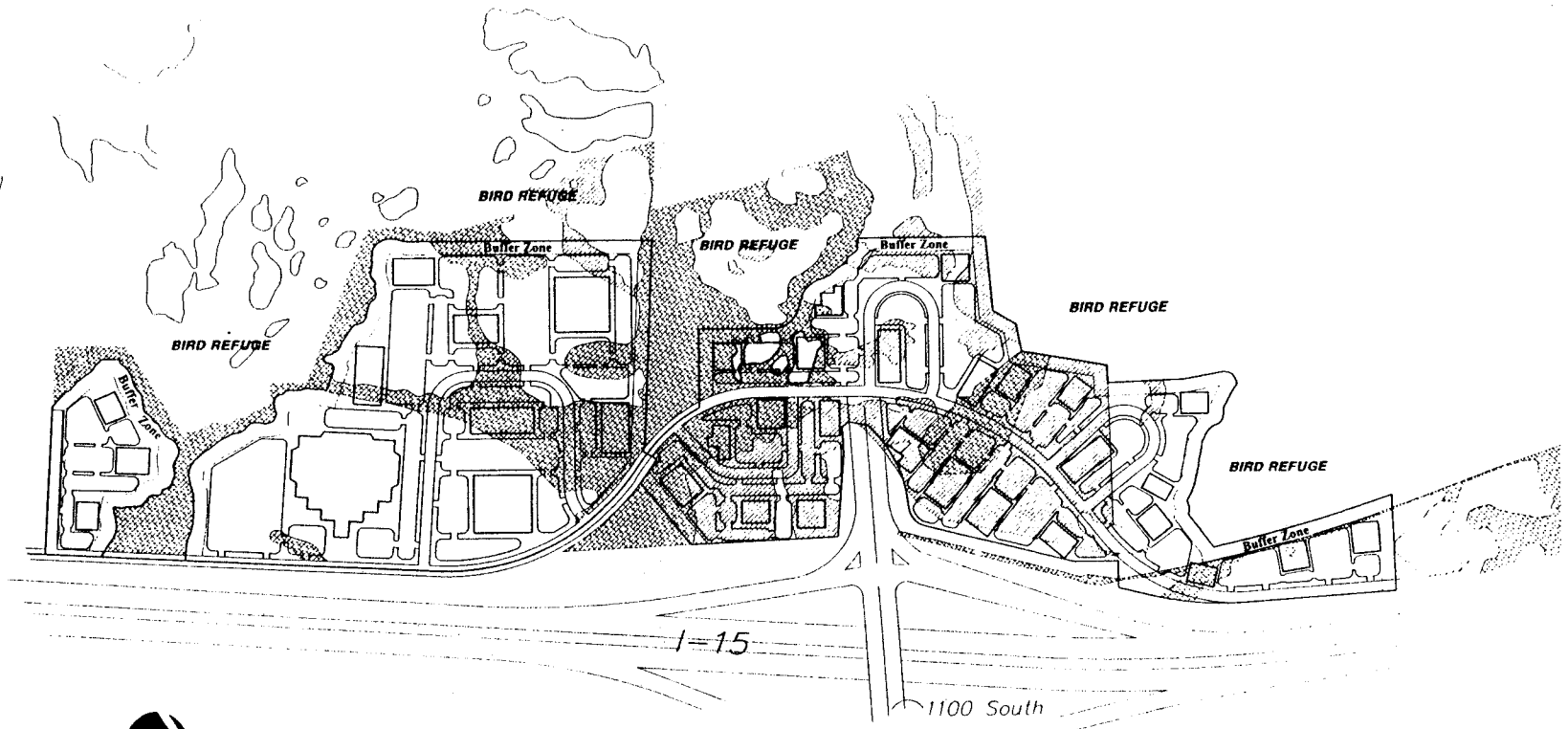




Exhibit 2. Pointe Perry/BRBR Property Exchanges to Avoid/Reduce Wetland Impacts




-  - Saltgrass/Playa Impacts
-  - Emergent/Wet Meadow Impacts

Point Perry Development

Perry, Utah

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Practicable Alternatives:

1. Preferred Alternative - Wetland Avoidance/Minimization of Impacts

Wetland functions within the Pointe Perry development area were assessed applying the hydrogeomorphic functional assessment model developed for slope wetlands associated with the Great Salt Lake ecosystem (Keate 2001). Functional assessment evaluations were conducted for both the original Pointe Perry development scenario and the preferred alternative. The preferred alternative represents several major project modifications to reduce the total development acreage and lost wetland functions through relocation of a significant portion of the original project along Interstate-15 and the Frontage Road.

Functional value loss with implementation of the preferred alternative would be significantly lower than the functional value loss resulting with implementation of the original Pointe Perry development scenario. The decrease in functional capacity loss with implementation of the preferred alternative versus the original development scenario ranges from 19%-53% for all functional variables except connectivity (+7% loss). Relocation of the project into an area with reduced functional capacity i.e., along Interstate 15, required a land trade with the Bear River Migratory Bird Refuge. Implementation of the preferred alternative would allow preservation of a significant amount of wetland acreage through impact avoidance and trade to the BRBR.

a. Preferred Alternative Modifications to Avoid/Minimize Wetland Impacts

1. Overall Project Size Decreased by 57 Acres (35%)
2. Direct Wetland Impacts Reduced by 24.95 Acres (47%)
3. Emergent/Wet Meadow Impacts Reduced by 37.2 Acres (77%) with an Increase in Saltgrass/Playa Impacts of 12.25 Acres
4. BRBR Preservation/Conservation Acreage Net Acquisition = 131.77 Acres
5. 50 ft. Buffer Zone Established along Entire Pointe Perry Development Perimeter
6. Westward Development Boundary Depth Reduced by 697 ft (30%)
7. East Development Boundary along I-15/Frontage Road Increased by 1520 ft (45%) to Concentrate Majority of Development within Areas with Lower Wetland Functional Capacity Indices
8. Development Boundary West of 1000 ft Wildlife Perimeter Impacted by Interstate-15 and the Frontage Road Decreased by 4101 ft (55%)

2. Original Development Scenario

The original development scenario would require a larger project area resulting in a greater amount of impacts to wetlands with higher functional values than the preferred alternative. Additionally, a more extensive area of wetland/wildlife habitat within the Bear River Migratory Bird Refuge adjacent to the development area would be secondarily impacted. Under the original development scenario the Bear River Migratory Bird Refuge would not gain additional preservation properties.

3. Alternate Location to Avoid Wetland Impacts

There is no practicable alternative location for this project for the following reasons:

1. **Purpose.** The project was conceived and created to be located on Interstate 15. It was designed by the Box Elder County Office of Economic Development and the developer to attract significant outside revenue to establish a much-needed commercial tax base for Perry City. The Box Elder County Commission and the Perry City Council agree that to succeed, the project must be located on Interstate 15.
2. **Traffic volume.** The project's success depends on a high volume of automobile traffic and destination visitors. UDOT traffic counts show that approximately 70,000 vehicles pass I-15 Exit 364 every day (40,610 north bound, 29,692 southbound). Of those, approximately 15,000 vehicles currently turn on and off I-15 to travel U.S. Highway 91, which intersects I-15 at Exit 364. This traffic volume can be matched nowhere else in Box Elder County or Perry City.
3. **Freeway Access.** Exit 364 is the only freeway off/on ramp to which Perry City has direct access. Other than the westbound off-ramp at Exit 364, the nearest UDOT access to I-15 is over one mile east of the present project. That UDOT access feeds into Brigham City on both sides of 1100 South and is not a practicable alternative for a project benefiting Perry City.
4. **Other wetlands.** At exit 364, both the east and the west sides of I-15 contain significant amounts of wetland (over 50% in most areas). Any project along the freeway within the Perry City limits would have had similar wetland impacts and would have presented no more practicable alternative than the one proposed.
5. **Property availability.** There was no other acceptable land with the requisite requirements for sale at the time this project was initiated.
6. **Other sites.** Other sites on Highway 89 within Perry City were explored, but none had the required volume of outside traffic to justify construction of a project of this nature. Informal feasibility studies and traffic counts demonstrated that this type project would be unsuccessful if located on Highway 89, the only other major thoroughfare located in Perry City. Brigham City had already commissioned feasibility studies for other projects at the intersection of Highways 89 and 91. Those studies also showed the impracticality of a project at that location.

1. Preferred Alternative Mitigation Measures

Lost functional values resulting from implementation of the preferred alternative would be offset through preservation credit of 115.14 acres of land acquired by the Bear River Migratory Bird Refuge within the western portion of the original Pointe Perry development area; preservation credit for the 75.0-acre Reese property acquired by the Bear River Migratory Bird Refuge; restoration of altered drainages and creation/restoration of 10-acres within the Reese property; and preservation credit (50%) for wetland areas at risk of being developed without implementation of the preferred alternative. Additional mitigation includes preservation of approximately 10.39 acres of upland/wetland buffer zone along the entire Pointe Perry perimeter. The proposed mitigation credit scenario results in +2.63 wildlife habitat functional capacity units (FCU's) with rotational grazing continued on Bear River Migratory Bird Refuge lands.

Block 22 (continued)

Storm Water

Haestad's PONDPACK v7 was used for modeling purposes. The property was divided into eleven different sub-areas to adequately address storm water runoff. Contours and elevations were used to determine the slope of the land and the probable path of storm water for both the undeveloped property and the proposed development. For the proposed development areas for asphalt, buildings and landscaping, the apparent storm water path was determined and facilities necessary to conduct the water to a focal point which would be a detention pond. Detention pond size was estimated to be two feet deep, provide one foot of freeboard with an orifice sized to limit the outflow to approximately sixty percent of the inflow. Discharge would be into existing channels. Removal of oils and other matter from the storm water will be accomplished according to standard practice for projects of this type. As each site is designed for development, the grading plan and field elevations will be used to refine the stormwater determinations and the design of the appurtenant facilities.

Table 1. Pointe Perry/Bear River Bird Refuge Trade Summary¹ to Minimize Wetland Impacts

Parcel	Pointe Perry Trade to BRBR			BRBR Trade to Pointe Perry		
	Upland (Acre)	Wetland (Acre)	Total (Acre)	Upland (Acre)	Wetland (Acre)	Total (Acre)
No.1	19.71	18.88	38.59	0	0	0
No. 2	0	0	0	14.82	32.55	47.37
No. 3	6.45	10.1	16.55	0	0	0
No. 4	0	0	0	10.14	0.86	11.0
No. 5	23.93	36.07	60.0	0	0	0
No. 6 (Reese)	32.33	42.67	75.0	0	0	0
Total (Acres)	82.42	107.72	190.14	24.96	33.41	58.37

1. Includes BRBR Property Acquisition through Purchase Options

Total Net Gain to Bear River Bird Refuge = 131.77 Acres
(Wetland = 74.31 Acres)
(Upland = 57.46 Acres)

Table 2. Pointe Perry Development Unavoidable Wetland Impact Summary

Modified Project Parcels	Upland (Acre)	Wetland (Acre)	Direct Wetland Impacts (Acre)	Emergent/Wet Meadow Impacts (Acre)	Saltgrass/Playa Impacts (Acre)	Upland/ Wetland Buffer Preserved (Acre)
DPI¹	34.32	12.7	8.50	3.95	4.55	5.62
No. 2 (BRBR²)	14.82	32.55	19.28	6.72	12.56	2.47
No. 4 (BRBR²)	10.14	0.86	0.80	0.66	0.14	2.30
Total (105.37 Acres)	59.28 (56%)	46.11 (44%)	28.58 (62%)	11.33 (40%)	17.25 (60%)	10.39
Original Development³ (162.15 Acres)	84.41 (52%)	77.75 (48%)	53.53 (69%)	48.53 (91%)	5.0 (9%)	24.22

1. DPI = Pointe Perry Development Phase I Property Along Interstate-15

2. BRBR = Bear River Bird Refuge Parcels Along Interstate-15

3. Original Pointe Perry Development Property

Pointe Perry Project Modifications to Avoid/Minimize Wetland Impacts

1. Overall Project Size Decreased by 57 Acres (35%)
2. Direct Wetland Impacts Reduced by 24.95 Acres (47%)
3. Emergent/Wet Meadow Impacts Reduced by 37.2 Acres (77%) with an Increase in Saltgrass/Playa Impacts of 12.25 Acres
4. BRBR Preservation/Conservation Acreage Net Acquisition = 131.77 Acres (Including the 75-Acre Reese Property)
5. 50 ft. Buffer Zone Established along Entire Pointe Perry Development Perimeter
6. Westward Development Boundary Depth Reduced by 697 ft (30%)
7. East Development Boundary along I-15/Frontage Road Increased by 1520 ft (45%) to Concentrate Majority of Development within Areas with Lower Wetland Functional Capacity Indices (FCI's) (K.A. Smith Consulting, Inc. 2001a)
 - a. Preferred Alternative = 4920 ft.
 - b. Original Development = 3400 ft.
8. Development Boundary West of 1000 ft Wildlife Perimeter Impacted by Interstate-15 and the Frontage Road Decreased by 4101 ft (55%)
 - a. Preferred Alternative = 3316 ft.
 - b. Original Development = 7417 ft.

